BEAVERS FIGHTING REMOVAL

STRONG EFFORTS TO PREVENT TRIAL IN WASHINGTON.

Star Catch of the Postal Investigation Invokes Habeas Corpus on the Ground That He Can't Be Arrested Here on an ndictment Found at the Capital.

George W. Beavers, the former head of the division of salaries and allowances of the Post Office Department, is making a strenuous fight to prevent his removal to Washington for trial on indictments found against him there last October. The inictments charge him with having accepted a draft of \$350 for promoting the sale of typewriting machines to the Government.

Although the indictment was found last fall, Beavers was not arrested on it until ast Wednesday, when he appeared before Judge Thomas of the United States District Court, in Brooklyn, at a hearing on a motion for a bill of particulars and for the quashing of the indictments found against him by the Federal Grand Jury of that borough. He pleaded for a postponement in the new case until yesterday, when he agreed to produce a bondsman in the sum of \$10,000.

When the case was called before Commissioner Benedict yesterday counsel for Mr. Beavers announced that they surrendered him into the custody of the United States Marshal. His counsel said there was

States Marshal. His counsel said there was not sufficient evidence in the indictment to remove Beaversto Washington.
United States District Attorney Youngs put in evidence the Washington indictment, and William L. Seabury, of Beavers's counsel, objected, on the ground that the facts alleged did not constitute a crime. The objection was overruled by Commissioner Benedict. Post Office Inspector Frank E. Little testified that Beavers was the man wanted on the Washington indictment. District Attorney Youngs rested ment. District Attorney Youngs rested the case for the Government. Motion was made to discharge Beavers,

Motion was made to discharge beavers, on the ground that the warrant on which he had been arrested was illegal and void, that he was not now before the commission on any proper process, and that the commission was without jurisdiction in the matter. This motion was likewise denied, and there coupsed called several witnesses to then counsel called several witnesses to testify that Beavers had no connection with the typewriter company and that the com-pany had never paid or given him any money.

pany had never paid or given him any money.

Mr. Seabury asked for an adjournment until next Monday in order to produce more witnesses. District Attorney Youngs objected. Mr. Seabury said, he asked for an adjournment because he had applied to Judge Thomas, in the United States District Court, for a writ of habeas corpus, and Judge Thomas was to listen to argument on Friday. The writ is asked for on the ground that Commissioner Benedict. ground that Commissioner Benedict exceeded his authority in issuing the war-rant against Beavers on an indiotment found against him in the District of Colum-

Commissioner Benedict granted an adjournment until Monday next. On Saturday morning Beavers's counsel will ask Judge Thomas to quash the Brooklyn indictment and, in case the motion is denied, will then try to force District Attorney Youngs to furnish Beavers with a bill of particulars. Beavers was handed over to United States Marshal Haubert, who in turn surrendered him to the custody of his counsel.

WOMAN MAY ESCAPE GALLOWS. Mrs. Valentina to Be Reprieved To-day

-Habeas Corpus if That Falls. TRENTON, June 13 .- It looks to-night as though Anna Valentina, the Italian murderess of Lodi, will not be hanged next Wednesday. It is still within the power of the Governor to grant a further reprieve lican convention they will be a sale, for after of thirty days, and so persistent has been the Republican enthusiasm has abated a of thirty days, and so persistent has been the public demand that it is practically settled that the reprieve will be granted to-morrow. Gov. Murphy is in Chicago, cantly, that after all there is nothing so

of the crime of Mrs. valentina, is willing that she and her friends shall have every opportunity to present such facts or arguments as may lead to the commutation of the death sentence by the Court of Par-

Letters, telegrams and personal appeals Letters, telegrams and personal appeals have been pouring into the executive department all day, among them being a petition signed by the jury that convicted the woman. Among the late arrivals at the State House this afternoon was Gustavo Tosti of New York, the Acting Consul-General of Italy. He came to add his weight to a plea for his countrymen made by Dr. Scarlatta, of this city, Royal Consular Agent of Italy. It was arranged that a hearing should be given by city, Royal Consular Agent of Lary.

arranged that a hearing should be given by
the acting Governor at 11 o'clock to-morrow morning, at which Mr. Tosti and Dr. Scar-latta will be present.

Should the application for a reprieve

fail, preparations have been made to apply for a writ of habeas corpus in the United States District Court, and if this cannot be it is the intention to take out a writ of error, carrying the case to the United

the event of a reprieve, the summon-In the event of a reprieve, the summoning of the Board of Pardons may be deferred until the return of Gov. Murphy, but on July 15 the reprieving power of the Executive will be at an end and the woman's executive will be at an end and the woman is case must rest upon the clemency of the Court of Pardons or upon the legal battle it is proposed to wage before the higher

MURDERED IN CUBA.

Former Massachusetts Man Found Killed by His Son, Who Went to Visit Him. Boston, June 13 .- Word has been received here that Frank C. Simmons of Dorchester had been murdered on his reach in Cuba. The body was discovered by his son, Alfred, a civil engineer in the employ of the Metropolitan Park Commission. Having a month's vacation, the son went to Cuba to see his father, who had a ranch

to Cuba to see his father, who had a ranch near Cascorra, Puerto Principe, nearly four years ago. When he got to Cascorra he was surprised that no one met him at the station. He made his way to the house and found the body of his father with the head crushed in lying on the floor.

It is believed that the assassin, whose

nead crushed in lying on the floor.

It is believed that the assassin, whose motive is surmised to have been robbery, crept up behind Mr. Simmons and struck him down. From the appearance of the him down. From the appearance of the body the son thought his father had been dead five days.

SAY THEY STOLE FOR A FENCE. Two Girl Shoplifters From Jersey With a Market at Union Hill.

John F. Larkin, a detective employed in a Sixth avenue department store, arrested in the store yesterday two young Italian girls, who, he says, confessed to him that they had been shoplifters for some time. They were taught to steal, they said, by an Italian woman living at Union Hill, N. J., to whom they sold everything they stole.

They had about \$46 worth of stolen

In the West Thirtieth street station they said they were Annie Delipain, 15 years old, of 1497 Plank road, Hackensack, and Josephine Biberin, 16 years old, of Humboldt street, Union Hill. The fifteen-year-old prisoner was sent to the rooms of the Gerry society, but her companion was kept at the police station. the West Thirtieth street station they

Can Complete Hudson County Court House. TRENTON, N. J., June 13.-The Supreme Court dismissed to-day the two certiorari proceedings instituted by Col. Samuel D. Dickinson, Secretary of State, by which it was sought to tie up work on the new Hudson county court house.

Swift and Company's sales of fresh beef in New York City for week ending Saturday, June 11th, averaged .0842 per lb.—...dr.

GOSSIP OF WALL STREET.

That conservative bull element which advocates a gradual improvement in the stock market until after the Republican convention expected some reaction after an advance of eight days duration, including one day on which the average of prices was un-changed, and argued yesterday that the market was behaving in a healthy and perectly normal manner. On a strong opening, influenced to some extent by a slightly nigher range of prices from London, the professional element sold stocks freely for a reaction and got it. It was to be expected that traders would do that. After an ad-vance of 3 or 4 per cent., with stocks closing Saturday at the highest prices, the mar-ket is almost infallibly a sale on a strong Monday morning opening. Brokers whose office clients were long of the market advised them to take profits on the opening esterday, and that was about all the significance that could be attached to the commission house selling seen in the forencon. The groups of bull traders that began on Saturday to take profits continued their selling in the first hour yesterday. The transactions up to noon constituted about twothirds of the day's total. Activity subsided in the afternoon. The absence of seiling pressure was favorably commented upon throughout the day.

These roads have reported increases in gross earnings for the first week of June: Chicago Great Western, Denver and Rio Grande, Illinois Southern, Iowa Central, Missouri, Kansas and Texas, Missouri Pa cific, St. Louis and Southwestern and Texas Pacific. It will be seen that these are roads operating in territory where railroad men have been expecting earnings to decline throughout June and during the first half or possibly the whole of July. They are greatly encouraged over these reports for the first week of June, without having the confidence, however, to predict that the roads named and others operating in the same territory will continue to show increases during the month of June.

It is said that Boston has been selling Amalgamated Copper in this market steadily for a fortnight past. Some of yesterday's selling

The coaler stocks were sold yesterday on the anonymous report that the Attorney-General would proceed forthwith against the alleged anthracite combine under the Sherman Anti-Trust act. Above 45 a con-siderable speculative long interest is said to have been created in Reading. De Haven & Townsend were reported yesterday still to be buying the stock quietly. They have been accumulating it for several weeks.

Professional activities dominated the entire market, apparently, trading being reduced in the afternoon to a purely scalping basis. Brokers acting either for themselves r for traders went around the room offering stocks an eighth over the market and bidding for them an eighth under the market, as willing to do one thing as the other with that percentage of one-eighth in their favor to start with. The room crowd sought out the stocks that looked too strong for the rest of the market and sold them, notably Union Pacific, which in the first hour was conspicu-ous for strength and became, therefore, a target. London bought Union Pacific from the traders. The arbitrage houses were moderate buyers of the general market on

reaction which I believe it to be," said a trader resterday whose views are fairly representaive. "I shall conclude that we are likely to have a rising market until after the Republican convention. While that hurrah is on it will be easy to create the impression here that Roosevelt is as good as elected, which ought to be sufficient for a bulge of 2 or 3 per cent. in the market. If stocks have but President Edmund W. Wakelee of the Senate will be sworn in once more as acting Governor in the morning, so that he may be able to take action in the matter.

The granting of the further reprieve in accordance with the wishes of Gov. Murphy, who, while he has not receded from his former position as regards the atrocity of the crime of Mrs. Valentina, is willing that the behand her friends shall have every

sellers of Brooklyn Rapid Transit yesterday.

It is a question of some importance whether the bull crowd that appeared in the market ast week, and is presumably in it still, has the sympathy of the banking interests, who have recently discouraged speculative ac-tivity of any kind and whose opposition made impossible for the bull party that had control of the market for several weeks after the Northern Securities decision to carry its operations beyond the middle of April. "We might have had more of a rise in April, said a prominent operator the other day, "but for the fact that the big financial interests were willing to go only so far. At a given point they simply said that it wasn't advisable to have any more of a market for a while, and the rest of us had to stop. Wha they wanted was not an extravagant specula-tion in stocks, which might easily have been created, I think, as things were then going but a bond market-a demand for investment securities that would enable the railroads to sell their stuff so that corporation loans might be scaled down. We have been making some headway in that direction. but it is progress. The supply of investment securities is gradually being worked off. Whether we have reached a point at which the big financial interests would encourage the speculation in stocks to which they were so recently opposed remains to be seen They seem, anyway, to be a little more opti-

Up to this point, critical observers aver, the bull crowd has been operating chiefly or technical conditions, such as the scarcity of stocks, the floating or speculative supply o securities having got very low, and the ex-istence of a vulnerable short account. It would seem now to be a question, they say whether the movement can be carried further without an increase of outside interest, and. if not, whether the required outside interest can be developed. Commission business yes terday was very light.

McGovern & Co. were the heaviest buyers vesterday of Ontario and Western. As a result of their buying, which was estimated at from 8,000 to 10,000 shares, the stock adanced to the highest point yet reached on his movement, 26%. It was the leader of he market in point of activity. Watson & Co. and Ellingwood & Cunningham also were prominent buyers. It is said that Ryan & Kelly have been giving out big orders in the stock. The impression on the board yester-day was that this fresh buying was as good as, if not better than, that whi week. It is believed, in other words, that accumulation is still in progress. Traders supplied a good deal of the stock yesterday. There was an active borrowing demand for

in the loan department after the close. The bear crowd's principal demonstration was made in Steel preferred. That stock was the leader of the reactionary movement. It was singled out for attack, no doubt, because its weakness would be likely to have a greater effect upon general sentiment than could be produced by depressing any other stock. Fairbairn & Hilliard were conspicuous sellers in the forenoon, offering the price down at every opportunity, and giving observers the impression that they were trying to sell it as low as possible. They lost possibly 3,000 shares in the course of a decline of 1 per cent. This decline occurred on transactions amounting all told to only about 5,000 shares. and the seeming ease with which the stock yielded created a somewhat uneasy feeling in the board room. What appeared to be support was at length forthcoming around 54. The low price was 53%. The stock closed at 54, showing a net decline for the day of % per cent. Fairbairn & Hilliard were aggressive elsewhere in the market, selling, among other stocks. Ontario and Western

deal of this "offering down." Other brokers offered Reading down, and others offered Atchison down, and more or less offering down was seen in all of the active stocks. The buil crowd seemed to be taking stocks on a scale-down without bidding for them.

Impatient bull traders complained that the market was very discouraging to any one wanting "action."

CLOTHING TRADE FAILURE. M. Sampter Sens & Co. and the Cupid Co. in Bankruptoy.

Creditors' petitions in bankruptcy were filed yesterday against M. Sampter Sons & Co., manufacturers of clothing at 11-13 East Fourth street, and the Cupid Clothing Company at the same address, which they own. Judge Holt of the United States District Court appointed Charles C. Burlingham receiver of the assets on both cases. Gen. Kneeland of counsel for creditors said that the concerns had had a very poor season on account of the cool weather and could not meet their bills. The firm of M. Sampter Sons & Co. is com-The firm of M. Sampter Sons & Co. is composed of Michael Sampter and his son Arnold. Michael started the business in 1800, and although 78 years of age still manages the manufacturing dedepartment. The Sampters were said to be worth \$500,000 in and out of business, and have large holdings of real estate at Arverne. In February last they purchased the Eagan-Sindel Company manufactory of childrens' clothing and incorporated it as the Cupid Clothing Company on April 4 with a capital stock of \$50,000. Mr. Fleischman, attorney for the firm and 4 with a capital stock of \$50,000. Mr. Fleischman, attorney for the firm and company, said that the liabilities of M. Sampter, Sons & Co. are about \$230,000 and the assets about the same. The liabilities of the Cupid Clothing Company are \$100,000 and the assets about the same. He expected that they would make a very good settlement. The bankruptcy was not generally known in the trade, as the petitions were filed at 4 o'clock, but creditors who learned of it expressed surprise and sympathy for the old house. Among those who are reported to be creditors are the American Woolen Company, \$20,000; Rothfield, Stern & Co., \$1,800; Charles Brown & Co., \$2,000; Pontoosuc Woolen Manufacturing Company of Pittsfield, Mass., \$1,800; Eureka Silk Manufacturing Company, \$1,400; S. Slater & Sons, \$1,100, and Oelkman, Dommerich & Co., \$1,300.

SALE OF C., H. & D.

Believed to Be Close at Hand if Not Already Accomplished.

A so-called official statement was circulated in Wall Street yesterday to the effect that the Cincinnati, Hamilton and Dayton Railroad had been bought by New York and Boston capitalists, and paid for in cash. It was also stated that the road would not be merged with the Père Marquette or any

be merged with the Père Marquette or any other railroad, but would continue to be run as an independent line.

A verification of this statement was sought from one of the Cincinnati, Hamilton and Dayton directors, and he said:

"It would not be true to say that the negotiations for the sale of the road have been closed, for they have not been. It would not be correct, either, to say that the road has not been purchased. The negotiations are, at this moment, in so peculiar a state that it would not be possible to affirm or deny the statement to which you call my attention. It is possible that an official attention. It is possible that an official statement may be issued to-morrow, and, again, the statement may not be issued for

again, the statement may not be issued for several days."

Henry F. Shoemaker is chairman of the board of directors and the heaviest stockholder. Another director and large stockholder is is Eugene Zimmerman of Cincinnati, father of the Duchess of Manchester.

Paid Five Cents on the Dollar.

Judge Holt, of the United States District Court, confirmed yesterday a composition of Cumming & Stockbridge, exporters and importers, formerly of 11 Broadway, with \$50,000 has been deposited in a trust company to pay the composition and the legal expenses. A petition in bankruptcy was filed against the firm on Aug. 5, 1902, and their schedules showed liabilities, \$1,177,188; nominal assets, \$722,712, and actual assets, \$100,000. Losses in Cuba were the cause \$100,000. Losses in Cuba were the cause

Academy Subscriptions Now \$443,700. The subscriptions to the proposed \$1,000,-000 fund for the erection of a new Academy of Music in Brooklyn now foot up \$443,700, the list of subscribers numbering 275. A site for the building will be selected as soon as \$600,000 is assured. It is generally understood that it will be in the neighborhood of Flatbush avenue and Fulton street

MARINE INTELLIGENCE.

MINIATURE ALMANAO-THIS DAY. Sun rises....4:28 Sun sets....7:82 Moon rises....\$:10
HIGH WATER—THIS DAT.

Arrived-Monday, June 13. Sa Zeeland, Antwerp, June 4. Sa Consuelo, Hull, May 26. Se Hellig Olav, Copenhagen, June 1. Sa Langford, Santander, May 3. Sa Heilig Olav, Copenhagen, June 1.

Sa Lang ford, Santander, May 3.

Sa Maracabo, Maracabo, June 4.

Sa New York, Rotterdam, June 1.

Sa Ponce, Ponce, May 31.

Sa Capt, Bennett, Banes, June 9.

Sa Kong Huakon, Bay Verte, N. F., June 6.

Sa Flandria, Port de Paiz, May 26.

Sa Trinidad, Bermuda, June 11.

Sa Seneca, Havana, June 9.

Sa Parlma, Demerara, May 30.

Sa Nacoochee, Savannah, June 10.

Sa Algonquin, Jacksonville, June 9.

Sa Comus, Savannah, June 10.

Sa El Norte, Galveston, June 7.

Sa Benefactor, Philadelphia, June 12.

Sa Manna Hata, Baltimore, June 11.

ARRIVED OUT. Ss Germanic, from New York at Southampton.

SAILED PROM POREIGN PORTS. Ss Koenig Albert, from Gibraltar for New York, Ss Patricla, from Plymouth for New York. OUTGOING STEAMSHIPS.

KALSET WILL III. DIMEN.	UWAA
Potsdam, Rotterdam 7 30 A M	10 00 A M
Carpathia, Liverpool	2 00 P M
Seguranca, Colon 9 30 A M	1 00 P M
Carmania Naples	
British Prince, Pern buco. 12 30 P M	3 00 P M
Iroguels, Charleston	3 00 P A
City of Augusta, S'v'nah	3 00 P M
Hamilton, Norfolk	3 00 P L
Sall To-morrow.	
Cedric, Liverpool 2 30 A M	6 00 A A
Fontabelle, St. Thomas 12 30 P M	3 00 P A
Algonquin, Charleston	3 00 P A
Comus, New Orleans	12 00 M
San Marcos, Galveston	8 00 P N
Princess Anne, Norfolk	3 00 P M
Maracas, Grenada 10 00 A M	1 00 P N
Dominic, Para 12 00 M	3 00 P 1
Dominic, Para	3 00 F
Sail Thursday, June 16.	
La Gascogne, Havre 700 A M	10 00 A 1
Barbarossa, Bremen	12 00 M
Hamburg, Hamburg	11 00 AM
Havana Havana 800 A M	11 00 A A
Niagara Tampico 12 00 M	8 00 P N
Nacoochee, Savannan	8 00 P M
Monroe Norfolk	3 00 P N
El Rio, Galveston	8 00 P M
INCOMING STEAMSHIPS.	
Due To-day.	

١	St. Mungo	ntwerp May	•
ð	A Laura attila	ACKSON VIII C	•
3			
١	Canada	Iverbool	
1	Watadalah der Grosse	remen.	
	I an wantian	ascowJiine	
	Manamhanse	AraJuna	
d	R. Line	minswick June	1
1	ApacheJa	cksonvilleJune	1
J	Due To-m	orrow.	
	MajesticL	iverpoolJune	
	Condeana N	ADIES June	
	Class of Columbus	AVADDAD June	1
	Managal	rinidadJune	7
	A111-man	olon Juna	
	El Alba	alveston June	
	Due Thursday	v. June 16.	
	Pannonia	ibraltarJune	
	Denneylvania	amburgJune	
	Kansas City	wanseaJune	
	Due Friday.		
	La SavoleH	AvreJune	1
	Number	ibraltar June	
1	Vanes City	avannahJune	1
	FI Dorado	alveston June	1
	El Siglo	ew Orleans June	
	Due Saturde		
	St. LouisS	outhampton June	1
	Etruria	iverpool June	i
	Bluecher	amburg June	ľ
	ArabicL	lverpoolJune	1
,	Gallia	aplesJune	ľ
	1 1 1 1 1	halattenessed lane	

NOT TO SETTLE WITH HARRINAN

INFERENCE FROM PRESIDENT

J. J. HILL'S CIRCULAR

To Northern Securities Stockholders—Early Decision of the Litigation Expected
—Meanwhile the May Dividends Are Banked, Awaiting the Result.

President James J. Hill of the Northern Securities Company issued a circular letter to the company's stockholders yesterday, in which he reviewed the litigation against the company by persons opposed to the distribution of the company's assets according to the plan approved by the directors. Mr. Hill says:

rectors. Mr. Hill says:

Both the Northern Pacific and the Great Northern Railway companies declared, at the usual time, the quarterly dividends of 1½ per cent. on their respective shares, payable on May 2, 1904, to those persons in whom title to such shares should be found to be vested. Cash to pay these dividends has been set apart and deposited in bank for that purpose by both railway companies and the payment thereof will immediately follow the distribution and formal transfer of the railway shares. The Northern Securities Company is advised that the earnings of both the Northern Pacific and the Great Northern continue to be satisfactory and that an early decision of the pending litigation against the proposed dissolution of the Northern Securities Company is expected.

When this circular was read it was as-

When this circular was read it was assumed pretty generally by financiers that it meant that no compromise or settlement out of court between the Hill-Morgan and the Harriman-Pierce interests might be looked for. Mr. Harriman will shortly leave for Europe.

BESET BY BURGLARS. Musliner Complains of Three Calls at His

Flat and One at His Office.

Louis M. Musliner, an engraver, who lives on the top floor of an apartment house at 166 West 121st street, went to the police of the West 125th street station last night and complained of repeated attempts by burglars to break into his rooms. If he were a wealthy man, he said, there might be some excuse, but he is not, and he is surprised that they should give him so

surprised that they should give him so much attention.

Musliner is in the engraving business at 228 Canal street. The house is owned by his father-in-law, Jacob Meyer, who lives on the ground floor, and his wife likes to be near her own people. She is almost prostrated by the constant alarms.

The burglars went to Musliner's apartments last Saturday and tried to force their way in with a "jimmy," but were scared off by somebody coming upstairs. Yesteroff by somebody coming upstairs. Yester-day afternoon while his wife was out they made another attempt, and were frightened away. Last January they got in and cleaned the rooms of property valued at \$600. He says that thieves got into his place of business in Canal street a few days ago and stole engraving tools valued at \$200.

STEERAGE RATE WAR. Agents Say Character of Immigrants Is

Sorutinized as Before. In regard to the Cunard Line's cut in

steerage rate Vernon H. Brown, the line's agent in this city, said yesterday that \$15 was sufficiently high to prevent the coming of an undesirable class to New York.

The agents of the lines which established the ten dollar rate, and have been fighting the Cunard Line for months, said that they believed the low rate had little to do with increasing the undesirables. The same stringent examination of intending immigrants was made by agents of the lines at foreign ports that had been made in the past. American physicians representing the Marine Hospital were at every foreign port and saw that only those apparently in health were permitted to board ship for America. was sufficiently high to prevent the com-

America.

There are now about 1,200 detained immigrants, mostly in the New York room, at Ellis Island. It will take more than a week to decide how many of these will be

THE PHIPPS DIVORCE CASE.

Dr. Gallaher's Attorney Makes Unsuccessful Efforts to See the Complaint.

DENVER, Col., June 13.-Attorney J. H. Pershing, who has been engaged by Dr. in the Phipps divorce case, has made several ineffectual efforts to see the complaint in order to satisfy himself as to the way in which his client's name is used. The complaint was sealed in an envelope by order of the Court, and Judge Palmer has so far refused to allow Mr. Pershing to gain access to the document.

There is some talk of mandamusing the

clerk to compel him to reveal the papers to the attorney, such an action having been successfully prosecuted in the East. Judge Mullins to-day granted a continuance in the Phipps case for at least ten days.

KROEHL PLEADS NOT GUILTY. Former President of Asbury Park Bank to Be Tried on July 7.

TRENTON, N. J., June 13.-George F. Kroehl, formerly president of the First National Bank of Asbury Park, pleaded not guilty in the United States District. Court to-day to a charge of making false entries in the books of the institution with the con-nivance of Albert C. Twining, a director of

the same bank.

The trials of Kroehl and Twining and of David C. Cornell, another director, who pleaded not guilty to certifying falsely as to the condition of the bank, were set for July 7.

Verdiet To-day in \$1,000,000 Suit Against Gen. Fitzgerald.

The trial of the suit brought by Morris Menges of Sheepshead Bay against Gen. Louis Fitzgerald to recover \$1,000,000 for services which he alleges he rendered in bringing about the sale of the Western Maryland Railroad Company to a syndicate Maryland Railroad Company to a syndroate was ended in the Supreme Court in Brooklyn yesterday afternoon. The jury agreed at 7:30 o'clock, but Justice Spencer had adjourned court before then. A sealed verdict will be handed to him to-day.

Wants Receiver for Ruby Match Company. WILMINGTON, Del., June 13.-Edgar B. Stocking, a Washington lawyer, has applied to Chancellor Nicholson for the appointment of a receiver for the Ruby Match Company, which he says is insolvent and owes him \$9,000 in fees. The company was chartered here and does business in The incorporators were: J. New Jersey. The incorporators were: J. Edward Addicks, William B. Clark and Alexander Kelly. A hearing will be held

Plans have been filed with the Building Bureau for the enlargement and partial remodelling of the Hotel Cadillac, originally the Barrett House, at the northeast corner of Broadway and Forty-third street. A seven story and attic addition is to be erected on the east in Forty-third street. The building is owned by the Goelet estate. The cost of the improvement is estimated

at \$20,000.

Hotel Cadillac to Be Enlarged.

The Hell Gate Democratic Club of the Thirtieth Assembly district moved last night into its new home, at 245 East Ninetieth street. The removal from the old quarters. at Ninety-second street and Second avenue, was celebrated with a parade. At a meeting in the new clubhouse Frederick Ruppert offered resolutions indorsing the leadership of Harry C. Hart. The resolutions were adopted unanimously.

Hell Gate Club Rallies Around Harry Hart.

A. Fountain Westervelt, a member of the Consolidated Exchange, announced his suspension yesterday. He became a member on May 13, 1903, and suspended on

BANK REPORTS. REPORT OF THE CONDITION OF THE NATIONAL BANK OF COMMERCE OF NEW YORK

AT NEW YORK, IN THE STATE OF NEW YORK. AT THE CLOSE OF BUSINESS JUNE 9, 1904.

RESOURCES.

RESOURCES	134,737
Overdrafts, secured and unsecured	1,46
U. S. bonds to secure circulation	11,465
U. S. and Philippine 4 per cent. bonds	
to secure U. S. deposits	3,821
Premiums on U. S. bonds	1,125
Bonds, securities, &c	11,726
Banking house and lot	3,520
Other real estate dwned	3,520
Due from national banks (not reserve agents)	4,521
Company	1,521
Company	1,522
Company	1,522
Company	1,523
Company	1,523
Company	1,524
Company	1,000 0 38.782.642 30 Redemption fund with U. S. Treas-urer (5 per cent. of circulation)... Due from U. S. Treasurer, other than 5 per cent. redemption fund..... 578,250 00 LIABILITIES. Undivided profits, less expenses and taxes paid.

Quarterly dividend, payable July 1, 1904.

National bank notes outstanding...
Due to other national banks... \$40,191,679 41

Due to State banks and bankers... 11,399,495 10

Due to trust companies and savings banks... 45,830,725 19

Dividends unpaid... 7,488 00

Individual deposits subject to check... 67,803,298 06

Demand certificates of deposit... 5,557,555 31

Cashler's checks outstanding... 2,963,713 32

United States deposits... \$3,25,722 37

Deposits of U.S. disbursing officers... 22,63,713 32

Deposits of U. S. disburs-ing officers....... Reserved for taxes..... 180 633,509 3 Subscribed and sworn to before me this 13th day of June, 1904.

A. J. OXENHAM. Notary Public. Correct—Atlest:
DANIEL GUGGENHEIM,
JACOB H. SCHIFF,
Directors.

	H. C. DEMING.	
3	REPORT OF THE CONDITION	. 05
0	REPORT OF THE CONDITION	NE
t	THE NATIONAL PARK B.	FOF NEW
	AT NEW YORK CITY, IN THE STAT YORK, AT THE CLOSE OF BUSIN 9TH, 1904:	ESS JUNE
-	RESOURCES.	
Г	Loans and discounts	BAS 168 897 02
r	Overdrafts, secured and unsecured	158,060 62
- 1	U. S. bonds to secure circulation	2,900,000 00
0.00	U. S. bonds to secure U. S. deposits	1,058,000 00
7	Other bonds to secure U. S. deposits	992,000 00
1	Premiums on U. S. bonds	170,000 00
1	Bonds, securities, &c	732,220 83
•	Banking house, furniture and fixtures	
.	Due from national banks (not reserve	
ſ	agents)	4.209.184 45
0	Due from State banks and bankers	361,582 52
1	Checks and other cash items	311,136 40
- 1	Exchanges for Clearing House	4.824.014 04
- 1	Notes of other national banks	152,000 00
- 1	Lawful money reserve in bank, viz.:	
	Specie	
8	Legal tender notes 4,519,488 00	
•		23,030,375 62
- 9	Redemption fund with U S. Treas-	7
	urer (5% of circulation)	145,000 00
1	Due from U. S. Treasurer other than	
	5% redemption fund	202,000 00
•		

LIABILITIES. National bank notes outstanding \$2,877,500 00

Due to other national
banks 27,598,122 38

Due to State banks and
bankers 10,175,614 30

Due to trust companies
and savings banks 11,747,802 29

Dividends unpaid 1,288 09

Individual deposits subject to check 38,890,071 58

Demand certificates of
deposits 162,195 34 1,245,382 30 standing . ..

and belief.

FDWARD J. BALDWIN, Cashler.

Subscribed and sworn to before me this 13th day of June, 1904.

Notary Public, Kings Co.

Certificate filed in New York Co.

Correct—Attest:

AUGUST BELMONT,

CHARLES SCRIBNER.

Directors.

CONDENSED STATEMENT OF CONDITION THE NATIONAL SHOE AND LEATHER BANK
OF THE CITY OF NEW YORK.
AS REPORTED TO THE COMPTROLLER JUNE
9TH, 1904.

DESCRIBERS RESOURCES.

..... \$11,474,207 88 LIABILITIES. Capital stock.
Surplus and profits.
Taxes anticipated.
Circulation. Deposits, individuals......
Deposits, banks..... .\$11,474,207 83

FIGHT OVER THE ALGONOUIN With a Divorce Suit and Receivership Mixing Up Things for the Fosters.

The appointment yesterday by Supreme Court Justice Greenbaum of Frank M. Case and Edward Earle as receivers for the Hotel Algonquin, in West Forty-fourth street, disclosed that Albert T. Foster, of the hotel has begun proceedings for a divorce from his wife, Ann Stetson Foster, in whose name the lease stands. Mrs. Foster's whereabouts is not known, and her attorneys have refused to accept service of the divorce papers or to divulge her whereabouts.

Mrs. Foster has an action pending against her husband to establish her right to the lease of the hotel, which brings an annual rent of \$45,000. She says she is the real proprietor and that she employed her husband as manager until May 3 last, when she withdrew, as she says, all his authority from him. Foster denies this and says that the lease was in his wife's name simply to secure a small sum of money which she had ad-vanced to him. Mrs. Foster asserts that she has purchased

Mrs. Foster asserts that she has purchased out of her own pocket \$50,000 worth of furniture for the hotel and that Foster had withdrawn \$25,000 from her account without her knowledge. She charges him with squandering money in drinking and gambling. She left him, she says, because she was in fear of her life. She asked for a was in lear of ner life. She asked for a temporary injunction restraining him from interfering with the management of the hotel. This the receivership supplies.

Foster, in his affidavit, says that when his wife left the hotel, with their child, on April 25, she ran away with William H. Emory, who, he says, inspires this suit. She wrote him, he says, that she would never

GABE CASE'S WILL. Nephews and Nicces Are to Share His Estate of \$80,000.

days ago, was filed for probate yesterday. The executors, Hugh J. Grant and Alfred Cammeyer, estimate the estate at \$40,000 in real and \$40,000 in personal property. The will bequeaths \$500 each to David Brigg The will bequeaths \$500 each to David Brigg and William Fagan and puts the remainder of the estate in trust. Out of the income Abbie Ressler, a sister, and Charles H. Ressler, a nephew, are to get \$1,000 each annually. The surplus is divided between a niece, Anna Ranzone, and the children of a deceased niece, Ann E. Jones. On the death of the sister and rephews the principal is to be divided between Anna Ranzone and the children of Mrs. Jones.

and the children of Mrs. Jones.

\$10,000,000

New York Central & Hudson River Railroad Company.

THIRTY-YEAR FOUR PER CENT. GOLD DEBENTURE BONDS. PART OF AN ISSUE OF \$30,000,000.

Principal payable May 1st, 1934. Interest May 1st and Nov. 1st. Both payable gold coin of the United States of the present standard of weight and fineness, and without deduction, from either principal or interest, of any tax or taxes which said Company may be lawfully required to pay or retain therefrom by any present or future laws of the United States or any of the States thereof.

Coupon bonds of \$1,000 each, bearing interest from May 1st, 1904, exchangeable for registered bonds without coupons. Registered bonds may be converted into coupon bonds at the option of the owner.

New York, June 9, 1904.

Having purchased \$30,000,000 of the above-described Debenture Bonds, the undersigned now offer thereof for subscription \$10,000,000 at 971/2 per cent. and accrued

For particulars as to the property and security, reference is invited to the accompanying letter of Mr. W. H. Newman, President of the Railroad Company. Copies of the indenture and any further information desired may be obtained on application. Payments will be made as follows:

5 per cent. upon application.

92½ per cent. and interest on or before July 15, 1904.

J. P. Morgan & Co.'s negotiable Receipts will be issued pending the delivery of the Debenture Bonds.

The subscription will be opened at the office of the undersigned, at ten o'clock on June 14, 1904, and will be closed at or before three o'clock of the same day, the right being reserved to reject any applications and to award a smaller amount than applied J. P. MORGAN & CO.

Subscriptions may also be made to: Messrs. HARVEY FISK & SONS, New York. Messrs. KIDDER, PEABODY & CO., Boston.

Messrs. DREXEL & CO., Philadelphia.

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

Messrs. J. P. MORGAN & CO., City: Gentlemen: In respect to the \$30,000,000 New York Central and Hudson River Railroad Company's Thirty-Year Four Per Cent. Gold Debentures sold to you, I beg to say: The authorized issue of such debentures is limited to an aggregate of \$50,000,000 at any one time outstanding. The debentures are payable May 1st, 1994, and bear interest from May 1st, 1904, at the rate of four per cent, per annum, payable semi-annually upon the first day of May and the first day of Novem-

to pay or retain therefrom under or by reason of any present or future law of the United States, or of any State, county, or municipality therein.

The debentures are to be issued either in coupon form of the denomination of \$1,000 each, or in regis. tered form without coupons, of the denomination of \$1,000, \$5,000, \$10,000, or \$50,000, or any multiple of \$5,000 that may be authorized by the Company. The coupon debensures may be registered as to principal

ber in each year, without deduction for any tax or taxes which the Railroad Company may be required.

and also may be exchanged for registered debentures, and a registered debenture without coupons may be exchanged for coupon debentures at the option of the owner. All the debentures are issued under and subject to the provisions of an Indenture dated May 12th 1904, made by the New York Central and Hudson River Railroad Company to the United States Trust Company of New York as Trustee. Such Indenture provides, among other things, that so long as any of said debentures are outstanding and unpaid, the Railroad Company will not make any new mortgage upon its railroad without also thereby including therein every debenture of this issue then outstanding and impaid equally and ratably with every depenture issued under and secured by any such mortgage, such covenant, however, not to prevent the renewal or extension of any existing mortgage.

Very respectfully yours, W. H. NEWMAN, President.

BANK REPORTS.

REPORT OF THE CONDITION OF

THE MERCHANTS' NATIONAL BANK AT NEW YORK, IN THE STATE OF NEW YORK, AT THE CLOSE OF BUSINESS, JUNE 9TH, 1904: RESOURCES. Checks and other cash items.
Lxchanges for Cicaring House.
Notes of other national banks.
Fractional paper currency, nickels and ceils.
Lawful money reserve in 4,617,893 35 Due from U. S. Treasurer, other than 5 per cent. redemption fund...... 40,000 00 \$24,092,502 98

Total.... LIABILITIES. \$6,802.229 55 100.000 00 2.600 00 2.2600 00 2. 458,432 00 Cashier's checks out-141,877 78

\$24,092,502 98 Total. \$24.002,502 98
State of New York, County of New York, Sa.:

1. SAMUEL, S. CAMPIELLI, Cashler of the abovenamed bank, do solemily swear that the abovestatement is true to the best of my knowledge
and belief. S. S. CAMPBELL, Cashler,
Subscribed and sworn to before me this 13th day Subscribed and Subscribed and Of June, 1904.

of June, 1904.
O. E. PAYNTER, ...

Correct—Attest:
GEORGE SHERMAN, GEORGE SHERMAN, R. M. GALLAWAY,

R. M. GALLAWAY, O. E. PAYNTER, Notary Public.

AQUEDUCT COMMISSIONERS' OFFICE.
Room 207. Stewart Building. No. 280 Broadway
TO CONTRACTORS.

SEALED BIDS OR ESTIMATES for doing the
work and furnishing the materials called for in
the approved forms of contracts now on file in
the office of the Aqueduct Commissioners for:
No. 1. Constructing stone wall boundary fening on the New Croton Dam Division of the New
Croton Aqueduct in the Towns of Yorktown and
Cortland, Westchester County, New York.
No. 2. Building four highway bridge superstructures across the New York & Putnam, New
York & Harlem, and Mahopac Branch Railroads,
in the Towns of Yorktown, Somers and Lewisboro,
Westchester County, New York.
Will be received at this office until 12 o'clock
noon on Tuesday, June 28, 1904. They will be pubilcly opened by the Aqueduct Commissioners as
soon thereafter as possible, and the award of the
contracts for doing said work and furnishing the
materials required will be made by said Commissioners as soon thereafter as practicable.

Blank forms of said approved contracts and the
specifications thereof, and bids or proposals and
proper envelopes for their inclosure, forms of
bonds, and all other information can be obtained
at the above office of the Aqueduct Commissioners
on application to the Secretary.

For further particulars see "City Record," published at No. 2 City Hall.

WILLIAM H. TEN EYCK, President.

ARMY BUILDING. Whitehalf St., New York,

ARMY BUILDING. Whitehall St., New York, N. Y., June 9, 1994—Sealed proposals, in duplicate, will be received here until 12 o'clock noon, June 18, 1904, for furnishing Water coolers, coffins, clocks, curry combs, horse brushes, horse clipping machines, scales, hoes, mops, forges, farrier's tools, horse and mule shoes, too calks, and horseshoe halls. Blanks for bidding furnished upon application. Proposals to be araked: "Proposals for Q. M. Supplies, to be opened June 18, 1904," and addressed to Major G. S. BINGHAM, Q. M., Depoi Qr. Mr.

PROPOSALS FOR BUILDING TRESTLE—Sandy Hook Proving Ground, Fort Hancock N. J., May 21st, 1904.—Sealed proposals for furnishing all materials and building about 4,500 feet railroad trestle and constructing about 1,000 feet approaches at Sandy Hook, N. J., in accordance with plans on file at this office, will be received here until 12 noon, June 20th, 1904, and then opened. U. S. reserves right to reject any or all proposals or any part thereof. Information furnished upon application. GLEN F. JENKS, Lieut., Ord. Dept.

The will of Gabe Case, who died a few GENERAL DEPOT, Q. M. DEPT., Jefferson-ville, Ind., June 9, 1904.—Sealed proposals, in trip-licate, will be received here until 10 o'clock A. M., July 9, 1908, for furnishing 461,000 gallons Mineral Oll. U. S. reserves right to reject or accept any or all proposals or any part thereof. Information furnished on application. Envelopes containing proposals should be marked "Proposals for Min-eral Oil" and addressed C. A. H. McCAULEY, Colonel and A. Q. M. G.

PROPOSALS FOR ORDNANCE SUPPLIES—
New York Arsenal, Governors Island, N. Y. H.,
May 16, 1804.—Scaled proposals, in triplicate, will
be received until 1 P. M., JUNE 16, 1804, for furnishing instruments and drawing utensits, and materials,
burlaps, cotton waste, thread, forage, fronmongery,
paints, oils, lumber, tools, utensits, etc., during the
year ending June 30, 1805. Information furnished
on application. Col. JOHN E. GREER, Comdg.

Union Trust Company of New York 80 BROADWAY.

BANK

BANK

EW YORK.

EW YORK.

E 9TH, 1904:

14,158,346 45

50,000 06

102,960 05

996,527 34

1.589,844 24

1.1747 77

1.2588 55

1.850,067 55

5,850,067 55

5,850,067 55

5,850,067 55

6,850 07

723 02

1.588,846 35

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588,846 36

1.588, said payment of SIXTY-FIVE THOUSAND DOLLARS, by drawing the same, and that thereby the following bonds were so designated for payment, viz.:

35 212 382 597 399 598 843 216 850 237 406 599 56 239 422 605 886 249 461 613 889 60 891 263 463 657 90 264 469 669 910 685 102 271 927 104 485 705 934 319 709 506 946 123 333 343 549 724 992 790 997 178 350 567

Notice is therefore given that the principal of the said above-mentioned and numbered bonds, and each of them, will be redeemed and paid by the undersigned, at its office in the City of New York, on the first day of September, 1904, and that all interest on the same will cease from and after such date. UNION TRUST COMPANY OF NEW YORK.

The Leather Manufacturers National Bank

of New York.

NOTICE.—The Leather Manufacturers National Bank of New York, located at 29 Wall Street, in the City of New York, in the State of New York, is closing its affairs. All note holders and other reditors of the association are therefore hereby notified to present the notes and other claims for payment.

Dated April 16th, 1904.

PUBLIC NOTICES.

PUBLIC NOTICES.

PUBLIC NOTICE.

The City of New York, Office of the City Clerk.

City Hall, New York, May St. 1804.

The New York and Queens County Railway.
Company, having presented its application inwriting to the Board of Aldermen of The City of New York, dated the fifth day of May, 1904, for its consent to, and a grant of the right, privilege, and franchise for the construction, maintenance and operation of a double-track street surface railway, together with the necessary appurtenances as an extension or branch of its exising railway for street railway purposes in the conveyance of persons and property, in, upon and along the surface of certain streets, avenues and highways, a description thereof being as follows, to-wit:

Beginning at and connecting with the present tracks of the New York and Queens County Railway Company on Borden avenue, at its intersection with Celite avenue, otherwise known as Bowerly Bay road, thence northerly upon and along said Celic avenue to the intersection of said avenue with the centre line of Locust street, all in the Borough of Queens, in The City of New York and State of New York.

Now, therefore, pursuant to a direction given by resolution of the Board of Aldermen of The City of New York, which was adopted on the 24th day of May, 1804, and approved by his Honor the Mayor of said City, on the 31st day of May, 1804, public notice of such application is hereby given and that, in the Chamber of the Board of Aldermen, in the City of New York, on Wednesday, the 18th May of Mallway Company will be first considered, and a public hearing had thereon.

All persons interested in said application are notified to be present at the time and place aforesaid, as an opportunity will then and there be given to be heard in relation thereto.

PROPOSALS.

U. S. ENGINEER OFFICE, New London, Conn., June 11, 1804.—Scaled proposals for dredging about 40,000 cubic yards, or as much thereof as available funds will permit, at Branford Harbor, Conn., will be received here until noon of June 22, 1904, and then publicly opened. Information furnished here or at U. S. Engineer Office, 395 Exchange Eldg., New Haven, Conn. C. F. POWELL.

Lieut.-Col. Engrs.

PORT WADSWORTH, N. Y., June, 1904.—Sealed proposals for building ward wing on hospital at post will be received until 10 A. M., June 15. 1804. Information furnished on on application. U. S. reserves right to accept or reject any proposal, or any part thereof. Envelopes containing proposals should be endorsed "Proposals for building ward wing," addressed Lieut. Geo. L. Hicks, Jr., Q. M."

U. S. ENGINEER OFFICE, Jacksonville, Fig. June 10, 1904.—Sealed proposals for dredging in St. Johns River, Fig., will be received here until 12 noon, July 11, 1904, and then publicly opened information furnished on application. Francis RELUME, Capp. Bagus.